

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Business Meeting held December 19, 2006

A regular business meeting of the Lower Paxton Township Board of Supervisors was called to order at 7:33 p.m. by Chairman William B. Hawk on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were William C. Seeds, Sr., William L. Hornung, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; and Steve Stine, Township Solicitor.

Pledge of Allegiance

Mr. Blain led the recitation of the Pledge of Allegiance.

Approval of Minutes

Mr. Seeds made a motion to approve the minutes of the November 6, 2006 business meeting, and the November 14, 2006 joint Board of Supervisors and Planning Commission meeting. Mr. Blain seconded the motion, and a unanimous vote followed.

Public Comment

No public comment was provided.

Presentation of Donation by Graystone Bank

Mr. Wolfe explained that Jewel Cooper, a representative from Graystone Bank, was present to make a presentation of a \$500 check for the Friendship Community Center (FCC).

Ms. Cooper thanked the Board members for their support in the building of the Graystone Bank on Linglestown Road. She noted that the branch on Linglestown Road has had the best results for an opening week that she has ever experienced, and she has been in the banking

business for more than 20 years. Mr. Hawk thanked Ms. Cooper for the kind donation of funds to the FCC.

Mr. Seeds noted that there was a problem with the initial outside lighting for the Bank, and he was thankful that Graystone graciously fixed the problem by lowering the lights and installing lower wattage bulbs.

Chairman and Board Member's Comments

No comments were presented by Board members.

Manager's Report

Mr. Wolfe thanked Graystone Bank on behalf of the FCC Operating Board, and he explained that the check was officially presented to the Township during the ribbon cutting ceremonies held on December 4, 2006. He noted that the funds would be credited to a necessary capital expenditure, or to an FCC scholarship program that provide for recreational opportunities for people with various specific needs.

Mr. Wolfe explained that the next Board of Supervisors meeting will be held on Tuesday, January 2, 2007 at 7:30 p.m. He explained that all municipal governments are required to meet the first Monday after the New Year, or in this case, due to the New Year's Day Holiday, the meeting will be held on the first Tuesday. At that time the Board members will reorganize to conduct business for the next fiscal year, appoint a chairman, and other various posts, as well as delegates to various other boards. He noted that part of the process is to appoint the members to the various advisory boards for the Township. He noted that following the reorganization meeting, a brief business meeting will be held.

Mr. Wolfe explained that the Township Municipal Center will close at noon on December 22nd, and all day on December 25, 2006 and January 1, 2007. He noted that the FCC will be closed on December 25, 2006, January 1, 2007, and Christmas Eve.

Old Business

Resolution 06-53; Adoption of the 2007 fiscal year budgets

Mr. Wolfe explained that the General Fund Budget for the 2007 Fiscal Year is \$19,280,432. He explained that this is a balanced budget that includes the allocation of State Liquid Fuels Funds. He noted that the balanced budget is based upon the current rate of taxation, which will remain unchanged. He noted that the Township levies an Earned Income Tax, Emergency Municipal Services Tax, Real Estate Transfer Tax, and Real Estate Tax. He noted that the Real Estate Tax for 2007 will remain at .7 mills. He noted that this is the lowest rate of taxation for the Township in well over 20 years. He explained that the breakdown for the millage rate is; .423 mills for general purpose; .236 mills for fire protection; and .041 mills for the funding of the Dauphin County Library in Lower Paxton Township. He further explained that this is one of the lowest rates of any developed municipality in Dauphin County, ranking 12th out of 40 municipalities. He noted that the rate of taxation has not increased since 1990, and has been reduced on three occasions.

Mr. Wolfe noted that the General Improvement Budget provides for the spending of funds for capital projects and this is in the amount of \$2,345,000. He noted that the separate enterprise fund, not associated with the municipal operations, for the Friendship Community Center (FCC) for the 2007 fiscal year is \$2,086,960.00. He explained that the FCC operates with limited municipal tax support as it contributes \$100,000 annually, and the remaining 95% of the operating revenues are generated by the FCC. He noted that the FCC is financially self-sufficient from tax dollars.

Mr. Wolfe explained that the budget process that extended over a three-month time period included a new component of strategic planning for the next five years. He noted that the Board of Supervisors, along with management staff, reviewed the Township's future spending

from the Year 2007 through to 2011, trying to determine what the operational and capital needs would be. He noted that a study of future revenues was part of the process to determine future deficits, and he noted that there will need to be some belt tightening in the future. He noted that the projection for revenues and expenditures into the future shows that expenditures have been increasing more than revenues, and that at some point, there may be a need to adjust the level of services, develop new sources of revenues, or raise taxes. He noted that the 2007 Fiscal Year looks good from a financial perspective, but the long-term planning indicates that the Township will need to operate in a conservative fashion.

Mr. Seeds noted that Mr. Wolfe provided a very good report and he noted that the Township has acted wisely to keep the tax rate down.

Mr. Seeds made a motion to approve Resolution 06-53; Adoption of the 2007 Fiscal Year Budgets for the General Fund for \$19,280,432; General Improvement Fund for \$2,345,000; and the Friendship Community Center Operating Budget for \$2,086,960. Mr. Blain seconded the motion, and a roll call vote followed: Mr. Blain, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Resolution 06-54; maintaining the Administrative Employee Compensation Program

Mr. Wolfe explained that Lower Paxton Township implemented a new administrative employee compensation plan in 1992, and at this time each year, the Township Manager is required to present a report to the Board of Supervisors. He noted that as part of the report, there is an analysis of the municipal employment market conditions, the Township's assignment of employees to specific grades of responsibility, and the review of the Township salary structure. He noted that the report makes minor amendments to the position assignment by grade structure within the Township, and amends the Township salary structure by 2.7%, a figure arrived at by a blended salary survey of comparable municipalities, and the consumer price index. He noted that

the establishment of a base salary increase for administrative employees, and housekeeping measures that serve to implement the plan as per the amendments to the plan which were implemented two years ago, are also included in the report.

Mr. Blain made a motion to approve Resolution 06-54; maintaining the Administrative Employee Compensation Program. Mr. Seeds seconded the motion, and a roll call vote followed: Mr. Blain, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Resolution 06-57; indicating the Township's support for the proposed
Dauphin County Comprehensive Plan

Mr. Hawk explained that this resolution would provide the Township's support of the proposed Dauphin County Comprehensive Plan. He noted that the Township, as well as Dauphin County, is required to periodically update and review its Comprehensive Plan. He noted that the Municipalities Planning Code notes that the Township and County governments should reasonably be in compliance with each other. He noted that Dauphin County is requesting the Township's support of its Comprehensive Plan.

Mr. Wolfe noted that staff provided correspondence to the Dauphin County Planning Commission indicating technical amendments to the plan, none of which were susceptible in nature.

Mr. Blain made a motion to approve Resolution 06-57; indicating support of the proposed Dauphin County Comprehensive Plan. Mr. Hornung seconded the motion, and a roll call vote followed: Mr. Blain, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

New Business

Resolution 06-52; Appointing a real estate Tax Collector to fill a vacancy in this elected office

Mr. Hawk noted that this resolution notes the need to appoint a tax collector to fill the vacancy of tax collector as a result of Patsy Donmoyer, the elected tax collector's, death on

December 9, 2006. He noted that the person who is appointed to fill the vacancy shall hold said office until the first Monday in January after the first municipal election which occurs more than 60-days after the vacancy occur. Mr. Hawk explained that the election will occur in May of 2007. He noted that Diane Bair, who currently works in the Tax Collector's office, and has undergone training to fill this position, is willing to accept the temporary appointment of Tax Collector, to fill the vacancy.

Mr. Wolfe explained that this is a very confusing issue. He noted that the action that the Board members are taking tonight will be for the collection of taxes moving forward from this point in time. He noted that this action does not resolve the issue for the collection of taxes that are currently due to Lower Paxton Township, Dauphin County or the Central Dauphin School District. He noted that those taxes are identified under the 2006 duplicate that has been provided to the tax collector for each of the three taxing bodies, and the Board does not have the ability to appoint someone to collect those taxes. He noted that the appointment of someone to take that action is the responsibility of the estate of the Tax Collector or the bonding company for the Tax Collector. He noted that the Township has not been notified by the estate or the bonding company as to who will be collecting the taxes for the 2006 duplicates. He noted that the Township has received numerous phone calls regarding this issue, and there is no answer for the 2006 duplicate funds at this time.

Mr. Seeds made a motion to approve Resolution 06-52; appointing a Real Estate Tax Collector, Diane Bair, to fill a vacancy in this elected office. Mr. Hawk seconded the motion, and a roll call vote followed: Mr. Blain, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Resolution 06-51; applying for funding for police officer training from the MPOETC

Mr. Hawk noted that this resolution calls for the funding of a police officer's training by the Municipal Police Officer's Education and Training Commission.

Mr. Blain made a motion to approve Resolution 06-51; applying for funding for police officer training from the Municipal Police Officer's Education and Training Commission. Mr. Seeds seconded the motion, and a roll call vote followed: Mr. Blain, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Action on bids for the purchase of various sizes of storm sewer pipe

Mr. Wolfe noted that the Public Works Department advertised bids for storm sewer pipe to be used by the Public Works Department in various maintenance efforts. He explained that it is best to purchase in bulk to receive a better price. He noted that staff provided a bid specification and four bids were received. He noted that the low bid amount was submitted by Ferguson Water Works in the amount of \$22,491.20. Mr. Wolfe noted that the highest bid received was \$22,768.00. He noted that it was a very close bid between the four bidders.

Mr. Wolfe noted that the bids have been reviewed by staff, and Ferguson Water Works was found to be complete, and it was his recommendation to award the bid to Ferguson Water Works.

Mr. Blain made a motion to approve the bid for the various sizes of storm sewer pipes to Ferguson Water Works in the amount of \$22,491.20. Mr. Seeds seconded the motion, and a roll call vote followed: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Development Agreement with Conway Associates LLC for the relocation of Conway Road

Mr. Wolfe noted that the agreement provides for the relocation of a small portion of Conway Road through the Township's closed municipal landfill. He noted that the agreement with Conway Associates LLC affects the Kendale Oaks Development providing for the resubdivision of Phase IV of Kendale Oaks. He noted that Lower Paxton Township has agreed to

purchase one lot to facilitate the relocation of the road. He explained that Conway Associates, LLC, will reconstruct Conway Road through a portion of Kendale Oaks, and the Township will complete the remainder of the relocation work. He noted that the agreement for the purchase of the lot has a deadline date of the recording of Phase IV, and this phase has yet to be brought to the Board for its approval in its final form.

Mr. Wolfe noted that he would be working with the residents in Hodges Heights to complete the project over the next several months. He noted if the Board would determine that it does not want to proceed with the plan, prior to the submission of the Phase IV for Kendale Oaks, it would be in a position to terminate the process.

Mr. Wolfe noted that the agreement is ready for Board action at this time.

Mr. Blain made a motion to approve the Development Agreement with Conway Associates LLC for the relocation of Conway Road. Mr. Hornung seconded the motion, and a unanimous vote followed.

Resolution 06-55; Planning Module for the Rosewood subdivision plan

Mr. Seeds made a motion to adopt Resolution 06-55; Planning Module for the Rosewood subdivision plan. Mr. Blain seconded the motion, and a unanimous vote followed.

Resolution 06-56; Planning Module for the Candlewood Suites land development plan

Mr. Blain made a motion to adopt Resolution 06-56; Planning Module for Candlewood Suites land development plan. Mr. Hornung seconded the motion, and a unanimous vote followed.

IMPROVEMENT GUARANTEES

Mr. Hawk noted that there were 13 Improvement Guarantees.

Amber Fields, Phase III

An extension and increase in a letter of credit with Sovereign Bank in the amount of \$13,297.90 with an expiration date of January 11, 2008.

CGOH/Rehab Hospital Expansion

An extension and increase in a letter of credit with Wachovia Bank in the amount of \$18,876.00 with an expiration date of February 1, 2008.

McDonalds Restaurant – 5590 Allentown Boulevard

An extension and increase in a letter of credit with J P Morgan Chase Bank in the amount of \$69,771.02 with an expiration date of December 19, 2007.

Quail Hollow, Phase IV

A reduction in a bond with Lexon Insurance Company in the amount of \$101,926.00 with an expiration date of November 4, 2007.

Quail Hollow, Phase V

A reduction in a bond with Lexon Insurance Company in the amount of \$376,673.00 with an expiration date of November 4, 2007.

Snow and Vespignani

A reduction in a letter of credit with Vartan National Bank in the amount of \$46,310.00 with an expiration date of February 14, 2007.

Willow Brook, Phases I & II

A reduction in a letter of credit with Fulton Bank in the amount of \$17,765.00 with an expiration date of June 27, 2007.

Willow Brook, Phase III

A reduction in a letter of credit with Fulton Bank in the amount of \$7,762.15 with an expiration date of December 28, 2007.

Estates of Forest Hills, Phases I, II, III, IV-A, IV-B, V

A new letter of credit with Community Banks, N.A. in the amount of \$24,979.84 with an expiration date of December 19, 2007.

Estates of Forest Hills, Phases I, II, & III

A release in a letter of credit with Community Banks, N.A. in the amount of \$9,583.75 with an expiration date of December 19, 2006.

Estates of Forest Hills, Phase IV-A

A release in a letter of credit with Community Banks, N.A. in the amount of \$1,210.00 with an expiration date of December 19, 2006.

Estates of Forest Hills, Phase IV-B

A release in a letter of credit with Community Banks, N.A. in the amount of \$3,025.00 with an expiration date of December 19, 2006.

Estates of Forest Hills, Phase V

A release in a letter of credit with Community Banks, N.A. in the amount of \$8,890.20 with an expiration date of December 19, 2006.

Mr. Seeds made a motion to approve the 13 listed Improvement Guarantees as presented. Mr. Hornung seconded the motion, and a unanimous voice vote followed.

Payment of Bills

Mr. Seeds made a motion to pay the bills of Lower Paxton Township and Lower Paxton Township Authority. Mr. Blain seconded the motion, and a unanimous vote followed.

Announcements

There were no announcements.

Adjournment

There being no further business, Mr. Blain made a motion to adjourn the meeting. Mr. Seeds seconded the motion and the meeting adjourned at 8:08 p.m.

Respectfully submitted,

Maureen Heberle

Approved by:

Gary A. Crissman
Township Secretary